

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, ) CASE NO. CR12-207-MJP  
v. )  
GERALD RIGGINS, ) DETENTION ORDER  
Defendant. )

Offense charged: Distribution of Heroin; Possession of a Firearm by a Prohibited Person

Date of Detention Hearing: October 26, 2012.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which defendant can meet will reasonably  
19 assure the appearance of defendant as required and the safety of other persons and the  
20 community.

## FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to  
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 2. Defendant's prior record includes numerous failures to appear for hearing  
04 resulting in bench warrant activity. He has pending drug charges in the State of Oregon for  
05 which, according to the AUSA, he faces a potential mandatory minimum sentence of 51 months  
06 custody.

07 3. The AUSA proffers that, pursuant to a search warrant issued upon the  
08 defendant's arrest in this case, three loaded firearms were located in the defendant's nightstand  
09 drawer.

10 4. Taken as a whole, the record does not effectively rebut the presumption that no  
11 condition or combination of conditions will reasonably assure the appearance of the defendant  
12 as required and the safety of the community.

13 It is therefore ORDERED:

- 14 1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
15 General for confinement in a correction facility separate, to the extent practicable, from  
16 persons awaiting or serving sentences or being held in custody pending appeal;
- 17 2. Defendant shall be afforded reasonable opportunity for private consultation with  
18 counsel;
- 19 3. On order of the United States or on request of an attorney for the Government, the  
20 person in charge of the corrections facility in which defendant is confined shall deliver  
21 the defendant to a United States Marshal for the purpose of an appearance in connection  
22 with a court proceeding; and

01 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
02 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
03 Officer.

04 DATED this 26th day of October, 2012.

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07 Mary Alice Theiler  
08 United States Magistrate Judge  
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